



HAMPDEN TOWN COUNCIL WORKSHOP
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

FEBRUARY 14TH, 2022

6:00 P.M.

- A. CALL TO ORDER
- B. PLANNING & CED STATUS REPORT
- C. UNFINISHED BUSINESS
- D. NEW BUSINESS
 - a. Remarks from Representative Haggan and Senator Guerin regarding the State of Maine Affordable Housing Report – *referral from January workshop*
 - b. Council discussion regarding post office lease payments
 - c. Council preliminary discussion on a right of way policy or ordinance
 - d. Council review and discussion of the Remote Meeting Policy – *requested by Mayor McPike*
 - e. Council consideration for a referendum to re-allocate excess funds from the Route 1A bond to complete an additional 200' feet of sewer line at the end of Western Avenue from the intersection to Route 1A
 - f. Executive Session – pursuant to 1 MRSA § 405(6)(F) Confidential records
- D. ADJOURNMENT

Note: Council will take a five-minute recess at 8:00 p.m.

FOR THOSE THAT WISH TO PARTICIPATE IN THE
REMOTE COUNCIL WORKSHOP MEETING ON
FEB. 14,2022 AT 6:00 PM YOU MAY PHONE IN
USING THE FOLLOWING NUMBER (FOLLOWED
BY THE PIN #)

1-725-696-2645 PIN 193 109 851#

OR-

FROM A LAPTOP OR A DESKTOP, YOU MAY GO
TO THIS URL: **[https://meet.google.com/voq-
mrwt-vmd](https://meet.google.com/voq-mrwt-vmd)** AND JOIN US THAT WAY

**INSTRUCTIONS ARE POSTED WITH THE AGENDA
AND SEPARATELY ON THE TOWN CALENDAR AT
WWW.HAMPDENMAINE.GOV**

Item B

Town of Hampden



MEMORANDUM

To: Town Council

From: Amy Ryder, Community & Economic Development Director

Clifton Iler, Town Planer

Date: February 10, 2022

RE: P&D update

We will be providing Council with our department updates per discussion on the January 25th Council Workshop.

It is an opportunity to inform and have discussion on the planning and development activity in Hampden.

Thank you,

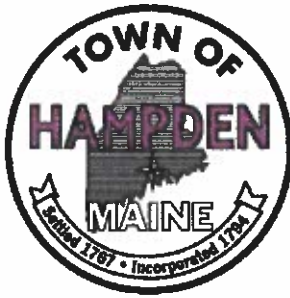
Amy Ryder & Clifton Iler



Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: February 10, 2022
RE: Affordable Housing Report – Discussion
with Rep. Haggan and Senator Guerin

Following this, you will find the memorandum put forth by our Planner relative to the findings of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions, established by the 130th Legislature which was previously discussed at the January 24th workshop. Council direction was to request that our legislative representatives be asked to attend this workshop. I spoke to Representative Haggan at the office who indicated he will be in attendance. Senator Guerin indicated via email that if her subcommittee concludes in time, she will attend, or at least try to remote in.



Town of Hampden
Land & Building Services

Memorandum
Maine Affordable Housing Report

To: Planning Board
From: Clifton J. Iler, AICP, Town Planner
CC: Paula Scott, Town Manager
Date: January 19, 2022
RE: State of Maine Affordable Housing Report

The 130th Legislature established the *Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions* (hereby referred to as "Commission") on June 15, 2021. The Commission met seven (7) times between August and December to research and recommend policy changes to address the State's affordable housing crisis.

The report outlined nine (9) recommendations for the Legislature to consider:

1. Allow accessory dwelling units by right in all zoning districts currently zoned for single-family homes.
2. Eliminate single-family zoning restrictions in all residential zones across the State by allowing up to four residential units on all lots, in compliance with any health and safety requirements such as minimum septic and lot sizes, with a sunrise clause to provide adequate time for municipalities to prepare for this change.
3. Prohibit municipal growth caps on the production of new housing.
4. Provide technical and financial assistance for all communities seeking support in making zoning improvements and in identifying opportunities for increasing affordable housing.
5. Create density bonuses in all residential zones throughout the State, giving low to middle-income housing projects 2.5 times the density of the existing one, with a parking requirement of no more than .66 spaces per unit for the additional units, and with the requirement that those units be protected as affordable for a specific period of time.
6. Create a three-year statewide incentive program for municipalities as follows: in Year 1, a qualifying community must make a commitment to reviewing zoning and land use restrictions. In Years 2 and 3, adopt zoning and land use policies to promote housing opportunities; qualifying communities would receive a state financial reward for up to three years, so long as they remain in good standing with the program requirements.
7. Create a system of priority development areas, where multifamily housing is permitted with limited regulatory barriers.
8. Strengthen Maine's Fair Housing Act by eliminating the terms "character," "overcrowding of land," and "undue concentration of population" as legal bases for zoning regulations.

9. Create a state-level housing appeals board to review denials of affordable housing projects made at the local level.

The purpose of this memorandum is to give a background on the affordable housing crisis and discuss the impacts of the report on the Town of Hampden. Additionally, the report's policy recommendations may encourage amendments to existing codes and ordinances.

Background:

There is a significant affordable housing shortage nationwide. "Affordable housing" is an umbrella term used to describe any and all forms of housing that an individual or household can reasonably afford. Typically, this number is less than 30 percent of a household's total income. A cost-burdened household is one that spends over 30 percent of their income solely on housing. Over 43 million renter households fall into this category, half of the nation's total.¹

The affordable housing crisis has been exacerbated by numerous issues, including the COVID-19 pandemic, widening income inequality, wage growth stagnation, exclusionary zoning policies, single-family housing development, and insufficient regional infrastructure. Although Maine is a largely rural and sparsely populated state, the effects of this crisis are still felt locally.

As noted in Appendix C of the report, 46.3 percent of households in Penobscot County are unable to afford the Median Home Price of \$175,000. This represents a significant portion of the regional population making under the median income necessary to access homeownership. Additionally, the Bangor Metropolitan Area Fair Market Rates (FMRs) are high in comparison to the Area Median Income (AMI) rates, identifying overpriced rental housing for very low and extremely low AMIs.²

The Commission focused on zoning and land use restrictions at a statewide level that directly impact the availability and affordability of housing stock. And although municipalities are granted home rule authority in the State of Maine Constitution, the State also can enact legislation requiring municipalities to adopt local ordinances consistent with state policy. The report cited shoreland zoning laws as an example.

¹ "Housing cost burden for low-income renters has increased significantly in last two decades." National Low Income Housing Coalition. (July 6, 2020). Retrieved January 12, 2022, from <https://nlihc.org/resource/housing-cost-burden-low-income-renters-has-increased-significantly-last-two-decades>

² Department of Housing and Urban Development. (n.d.). "FY 2021 income limits documentation system." FY 2021 Income Limits Documentation System. Retrieved January 12, 2022, from <https://www.huduser.gov/portal/datasets/il/2021/>

Impact:

The Town of Hampden would be greatly impacted if these policy recommendations were enacted by the Legislature. These policies would supersede local control under home rule authority and require local ordinances to be amended or written. It should be the prerogative of the Town Council and Planning Board to discuss the impact of these policy recommendations on the community, existing housing stock, infrastructure, and other limited resources.

Below is a brief summary of each individual recommendation, including discussion points to consider. The summary is not exhaustive of all impacts nor is it meant to advocate for or against each individual policy.

Recommendation #1: *Allow accessory dwelling units by right in all zoning districts currently zoned for single-family homes.*

The Legislature has already considered legislation regarding this recommendation. LD 1312, *An Act to Remove Barriers to Accessory Dwelling Units and Allow Accessory Dwelling Units where Single-family Houses Are Allowed* was carried over to the second regular session. Accessory Dwelling Units (ADUs) are smaller, secondary dwellings that have traditionally been used for multi-generational family housing, but have been recently utilized as an affordable housing option. Additionally, LD 1530, *An Act To Allow People To Live in Tiny Homes as a Primary or Accessory Dwelling* includes tiny homes as part of this solution.

Recommendation #2: *Eliminate single-family zoning restrictions in all residential zones across the State by allowing up to four residential units on all lots, in compliance with any health and safety requirements such as minimum septic and lot sizes, with a sunrise clause to provide adequate time for municipalities to prepare for this change.*

This policy recommendation would prohibit single-family zoning statewide except in instances where health and safety requirements supersede those regulations. Instead, up to four (4) residential units could be constructed on all lots. The burden of proof, or analysis in this case, would fall onto the Code Enforcement Officer and/or Public Works Director when considering building construction. Additionally, the impact of multiple units on local and regional infrastructure would require additional funding to expand those services (i.e. roadways, public water, public sewer). Alternative measures, like reducing minimum lot sizes, could impact the number of units constructed per lot.

Recommendation #3: *Prohibit municipal growth caps on the production of new housing.*

Housing growth caps limit the available housing stock that can be constructed in a municipality on an annual basis. This could be a limitation on building permits approved, density limitations by zone, or urban growth boundaries (UGBs). Typically, growth caps increase housing costs and rent prices which is the antithesis of increasing affordable housing stock.

Recommendation #4: *Provide technical and financial assistance for all communities seeking support in making zoning improvements and in identifying opportunities for increasing affordable housing.*

The Commission understood that the burden of providing the technical and financial resources to implement these policies will fall onto the State. This recommendation includes creating a state-level department on housing and zoning to administer grants to municipalities to fund these policy changes.

Recommendation #5: *Create density bonuses in all residential zones throughout the State, giving low- to middle-income housing projects 2.5 times the density of the existing zone, with a parking requirement of no more than .66 spaces per unit for the additional units, and with the requirement that those units be protected as affordable for a specific period of time.*

Town staff has recommended reducing or eliminating parking minimums in certain locations at previous workshop meetings. This policy recommendation would lower parking minimum requirements while increasing density bonuses for low- and middle-income housing projects. Ideally, this solution is best served in areas with regional transportation systems (i.e. bus, light rail) or in Transit-Oriented Developments (TODs). The Town would need to consider additional funding towards those systems under this policy recommendation. Additional impacts on quality of life were noted in the report.

Recommendation #6: *Create a three-year statewide incentive program for municipalities as follows: in Year 1, a qualifying community must make a commitment to reviewing zoning and land use restrictions. In Years 2 and 3, adopt zoning and land use policies to promote housing opportunities; qualifying communities would receive a state financial reward for up to three years, so long as they remain in good standing with the program requirements.*

The Town of Hampden could, under this policy, participate in a statewide incentive program that tracks general progress in forwarding affordable housing objectives. The eligibility of funding could go towards projects that support those objectives. The Town should consider being proactive and addressing these objectives through its upcoming Comprehensive Plan.

Recommendation #7: *Create a system of priority development areas, where multi-family housing is permitted with limited regulatory barriers.*

This policy would encourage upzoning – increasing density within a specific zone or priority development area – to allow for greater multi-family housing developments. This would aim to concentrate development in town centers or areas with the necessary infrastructure to support such density. Historically, programs like this have resulted in concentrations of low- or middle-income housing rather than diverse community growth. However, the Commission noted that multi-family housing could support multiple income levels and additional metrics would be required for this policy.

Recommendation #8: *Strengthen Maine's Fair Housing Act by eliminating the terms "character," "overcrowding of land," and "undue concentration of population" as legal bases for zoning regulations.*

This recommendation addresses historical exclusionary zoning practices that directly impact affordable housing stock and the size and character of housing styles. There is significant historical basis to support this recommendation and similar efforts have been made in Connecticut and New York. Overall, this language would support the policies recommended elsewhere in the report and not provide significant changes to the Maine Fair Housing Act.

Recommendation #9: *Create a state-level housing appeals board to review denials of affordable housing projects made at the local level.*

This recommendation would run in tandem with the other policies in the report. In instances where a municipality denied an affordable housing project, a state-level board of appeals could review to remedy cases where exclusionary zoning is present. Additionally, this board could be used to discourage local control that is effectively resulting in segregation, discrimination or poverty concentration. The Commission noted the detriment this policy could have on home rule authority, however.

Conclusion:

The report developed a multi-faceted approach to addressing the State's affordable housing crisis. The Commission included diverse representation from Legislature, municipal associations, subject matter experts, construction/building trades, agricultural trades, real estate professionals, and civil rights organizations. The policy recommendations represent the immediate and long-term needs for affordable housing statewide.

Although the policies recommended in the report have not been enacted by the Legislature, it is important to discuss these issues at the municipal level. It is equally important for the Town of Hampden to forward affordable housing objectives, at will, to continue to foster a diverse, equitable community.

Sincerely,



Clifton J. Iler, AICP
Town Planner
Town of Hampden



Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: February 9, 2022
RE: Post Office Lease payments

On January 4th, 2021, the Town Council voted to deposit the lease payments that we were receiving from the Estate of Paul Lessard into the Municipal Building reserve account for future building needs, especially with regard to the possibility that we might assume the building and need to make repairs to the HVAC system.

On February 3rd, while going over the meeting agenda with Mayor McPike, he asked if we were going to use the yearly lease payments as yearly revenue to offset taxes stating that he thought that would be a good idea, or if we were going to continue to place these funds into reserve. At the February 7th meeting, however, Mayor McPike stated during the Council discussion on the new lease, that the funds might be utilized for building needs with regard to adding needed office space in the former community room section of the public safety end of the building. Because Mayor McPike has suggested two different and distinct uses, I thought it prudent to once again discuss this at workshop for policy direction on whether or not we continue placing these funds into reserve, or if we use these funds as an offsetting revenue in our operating budget.



Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: February 9, 2022
RE: Discussion on Right of Way policy or ordinance

As you are all aware, the Town was recently contacted by Monica Small of 44 Daisey Lane regarding kids playing basketball on the street at 38 Daisey Lane, and which portable basketball hoop is technically in the town's right-of-way.

Ms. Small has asked the Council to consider instituting some sort of policy or ordinance that would prohibit it. Although she will not be in attendance at this meeting, I would like to get a sense of how the Council would like me to proceed. If the Council thinks that this is an avenue to investigate, I will need to know that so I can begin researching this. If the Council feels that this is more of a civil matter between neighbors, I would like to get a sense of that as well.



Paula Scott <townmanager@hampdenmaine.gov>

Fwd: Basketball in street

Peter Erickson <EricksonTownCouncil@hampdenmaine.gov>

Mon, Jan 24, 2022 at 5:36 PM

To: Paula Scott <townmanager@hampdenmaine.gov>, Eric Jarvi <jarviTownCouncil@hampdenmaine.gov>, Ivan McPike <mcpiketownCouncil@hampdenmaine.gov>, Mark Cormier <cormierTownCouncil@hampdenmaine.gov>, Christine Cubberley <cubberleyTownCouncil@hampdenmaine.gov>, David Ryder <wrightTownCouncil@hampdenmaine.gov>

Good Evening all please see below for dis union.

Thank You

Pete

----- Forwarded message -----

From: **Monica Small** <monicajsmall@icloud.com>

Date: Sat, Jan 22, 2022, 4:53 PM

Subject: Basketball in street

To: <ericksonTownCouncil@hampdenmaine.gov>

Dear councilor

I live on Daisey Lane one of the main roads leading into Westbrook Terrace subdivision. I've lived here in the same house for 17 plus years. My next door neighbor has a hoop on the town right of way and has been encouraging kids to play in the road. They're played at night disturbing our sleep and block us from enjoying and exiting our driveway. I feel there are more appropriate places to play basketball. It is a nuisance to listen to and prevents me from my right to "quiet enjoyment" of my property. I believe the Town has an obligation to set forth policy as to what can and cannot occur on Town roads. Currently there is no law for a police officer to enforce. I am not the only one who has had similar issues with kids playing in the road and disturbing the peace. It's a moral issue and individuals can pick and choose where to place a hoop in front of their home (on town property) with complete disregard for their neighbors. I am being ignored because there is nothing to enforce. Is this an issue for Town? Police? Department of Transportation or State Legislators? I could file a civil suit but really feel the Town should enact something to protect citizens from being harassed in their own homes and in their own yards. Can the Town establish a nearby basketball court somewhere that everyone in the neighborhood could agree on for all the kids to use? It seems My family has no rights and must put up with the nuisance, sleep disturbances and harassment? I do not show up in front of anyone's home and disturb their peace. The road is for cars bicycles walkers etc. not a basketball court with kids blocking the road.

Could you respond to my email please?

I would appreciate any thoughts and ideas to resolve this issue my family is facing almost daily. We have had a reprieve the past few weeks because of weather.

Sincerely,

The Small Family

44 Daisey Lane

Hampden ME 04444

(207) 862-4451

(207) 570-3344

(207) 217-0432

Sent from my iPhone



Paula Scott <townmanager@hampdenmaine.gov>

Basketball

1 message

Paula Scott <townmanager@hampdenmaine.gov>

Wed, Jan 26, 2022 at 5:25 PM

To: Monica Small <monica.jsmall@icloud.com>

Cc: Town Council <towncouncil@hampdenmaine.gov>

Bcc: Chris Bailey <cbailey@hampdenmaine.gov>, Victor Smith <publicworks@hampdenmaine.gov>

Dear Monica,

To follow up with you regarding your complaint of kids playing basketball in the street on Daisey Lane, I did speak with both the Chief of Police as well as the Public Works Director. I also went back through my emails and confirmed that I have corresponded with both you and your neighbor regarding this situation, most recently in October of 2021.

Chief Bailey stated that after the complaints came in during the fall of 2021, he came and spoke to you regarding the fact that playing basketball at around 4:00 or 5:00 in the afternoon would not rise to the level of a noise or nuisance complaint or disorderly conduct. Even playing at 7:00 p.m. in the summer would not rise to that level. If this was occurring at say, around 10:00 p.m. or later, it might. In his notes he stated that during the conversation with him you indicated that this used to occur late at night, but no longer does. Chief Bailey also spoke to your neighbor who said he would slide it down closer to the mid-way of his lot. Mr. Neal indicated that the reason they placed it near the edge of the road was so the kids could have a larger area in which to play ball and even if it was in his own driveway, the proximity to your home is virtually the same and realistically, you would still be able to hear the ball bouncing and the kids' voices. In an effort to compromise, he stated that the kids have been modifying their schedule to stop playing before 5:00 p.m. or before you come home in the evening so as not to disturb you.

The Chief has no record of complaints from other residents about the kids blocking the road to cars. I am not saying that it does or does not happen; just that if it is happening, there have been no other reports of it. In pulling up crash data, there have only been 3 accidents on Daisey Lane in ten years. Two of those were people getting hit or hitting someone else while backing out of a driveway, and one of which was a car crossing the center line and hitting another car.

From the Public Works point of view, the town has a 66' right-of-way and the hoop is technically in it, but as far as operations go, these hoops do not cause issues to the town, or to plowing operations. Daisey Lane is unposted for speed, but it is likely that most vehicles travel at about 25mph which would be the posted speed for a neighborhood like that. If a driver were to hit a basketball hoop, it would likely fold over and cause minimal property damage. From a traffic point of view, the State does have a statute which prohibits what is called 'deadly, fixed objects' in ROWs, but this refers to something that is permanently installed and not temporary, moveable objects such as a basketball hoop of this type.

The Town's philosophy has always been very lenient with regard to allowing basketball hoops within the right-of-way. There is another one just down the street from you at 31 Charles St. for example. There are basketball hoops within the town's ROW, or located at the edge of a cul-de-sac in many neighborhoods around town. If the Town decided to enforce the removal of a basketball hoop, it would have to be applied evenly to every household in every neighborhood that does it. Furthermore, prohibition of an item in the right-of-way would not be limited to just a basketball hoop. It would also apply to items such as a wheelbarrow full of flowers, garden statuettes, or similar decorative items which we also see about town. The Town has no plans to install a private basketball court in any subdivision as that goes beyond the public purpose statute. If you belong to any type of homeowner's association, that would be the appropriate avenue.

I understand your situation and it is unfortunate that you feel that the quiet enjoyment of your home is being impeded upon. I wish I could come up with a reasonable suggestion that is not punitive to others, but I don't have such an alternative. I will suggest that your email could be considered a request that the Town Council might deliberate at the February workshop about whether or not they wish direct staff to address this by way of policy or ordinance or whether or not they would feel that this is likely more of a civil matter between you and your neighbor.

Respectfully,
Paula A. Scott
Town Manager
Treasurer

Town of Hampden
106 Western Avenue



Paula Scott <townmanager@hampdenmaine.gov>

Portable basketball hoop 38 Daisey Lane

1 message

Monica Small <monicajsmall@icloud.com>

Sat, Jan 29, 2022 at 12:30 PM

To: Paula Scott <townmanager@hampdenmaine.gov>, Peter Erickson <EricksonTownCouncil@hampdenmaine.gov>, Christine Cubberley <cubberleyTownCouncil@hampdenmaine.gov>, Mark Cormier <cormierTownCouncil@hampdenmaine.gov>, Allen Esposito <EspositoTownCouncil@hampdenmaine.gov>, Eric Jarvi <jarviTownCouncil@hampdenmaine.gov>, Ivan McPike <mcpiketowncouncil@hampdenmaine.gov>, David Ryder <wrighttowncouncil@hampdenmaine.gov>, Chris Bailey <cbailey@hampdenmaine.gov>, Victor Smith <publicworks@hampdenmaine.gov>

Dear Council,

Our grievance is with the Location of the hoop located at 38 Daisey Lane and it's proximity to our house. It is next to only our home and affects only our lives. The hoop is not located at a dead end or cul de sac. It is on Town ROW with frequent vehicle traffic and we have been blocked from entering and exiting our own driveway by the multiple kids in the road. It is being used daily, weather permitting, by children who do not reside at 38 Daisey Lane. There are more appropriate locations for children to play basketball. There are reasonable alternatives that would not be "punitive to others", as the Town Manager suggests. For the Town to establish a safe place for the Westbrook Terrace neighborhood children to play basketball, somewhere more appropriate than the middle of the road at 38 Daisey Lane. There are multiple Open Spaces in this neighborhood that can be utilized. For example, the Broadway Park in Bangor has a roll up basketball court that is laid down on grass and pulled up by Parks and Rec. Why not purchase the same. There are 2 full basketball courts behind the Irving on Main Road in Hampden, and safe brand new sidewalks to get there (or parents can transport their kids.) To allow play at 10 pm at night would not be reasonable in front of our home, sounds carry much more at nighttime after the typical daytime sounds have hushed. At Canoe Club Road basketball Courts, 10pm seems reasonable time because there is ample space between the courts and personal residences. Those courts seem designed and built for this kind of use. Another example/alternative is the Discover Church on Daisey Lane that has a hoop in a large parking lot that provides ample space, less vehicle traffic and distance from personal residents homes. All the school gyms in town have hoops. There are multiple open spaces in the neighborhood that could be utilized. There is a large plot of Town land between 202 and Charles Street that could be utilized providing ample space without vehicle traffic. Basketball games can be hosted in our neighborhood at the homes where the boys and their parents live, instead of in the road in front of our house where we live. The Town could allow a neighborhood hoop in the ROW at the end of Stoneybrook Road where route 202 runs by. The sounds from trucks and automobiles on route 202 would certainly minimize any sounds made by multiple kids playing basketball, plus traffic at the dead end is nil. There is the Community Rec Center next to the old Hampden Academy with 2 full indoor basketball courts. Neighbors need to be considerate of their neighbors. If our neighbor asked us to move a hoop in our yard, we would oblige. In my day, the Policy was: "When the streetlights go on - it's time to go home." Adopt an Ordinance policy; one that provides exceptions for unique circumstances that affect individual citizens. Consider that every home, lot size, juxtaposition of home on the lot and locations of bedrooms and living room within varies. These variations affect each and every occupants differently. Every citizen has a right to "Quiet Enjoyment" in their own home and yard. Brain storm. Consider what other cities, towns, communities and neighborhoods have done to meet the needs of their tax paying homeowners and residents in regard to portable basketball ball hoops. We shouldn't be driven from our home of 17 years. The Town Council is in a position to help and this topic should not be "swept under the rug." We shouldn't be driven from our home. There are other people in this neighborhood that have had bad experiences similar to ours. They may or may not want to come forward. It would be nice to hear from all our neighbors. It would be a gift, if we could Make a wish. Give us time to speak with our neighbors, and learn what their experiences are, or have been, good and not so good, with portable basketball hoops. There can be a middle ground and a better location for a neighborhood hoop. We would like Council to postpone the February Workshop to allow time for the aforementioned. The Small Family

Sent from my iPhone



**Town of Hampden
Remote Meeting Participation Policy**

Pursuant to 1 MRSA § 403-B, and after public notice and hearing, the Town of Hampden adopts the following policy to govern the participation, via remote methods, of members of the body and the public in the public proceedings or meetings of the body.

Members of the body are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the body to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. Consistent with the Town of Hampden Charter, members are restricted to six remote meetings a year and the chair or presiding officer of the body, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the chair or presiding officer of the body as far in advance as possible. Members are permitted to attend executive sessions remotely provided that the security of the technology is vetted by the IT department. As an assurance for the public and for full transparency, it shall be the policy that remote participation by members of the body shall be permitted only by way of video. Participation by members through telephone or chat features shall be prohibited.

The public will be provided a meaningful opportunity to attend via remote methods for all meetings. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remote methods. Even when all members of the body are physically present, it shall be the policy of the Town of Hampden to allow members of the public to attend and participate via remote methods.

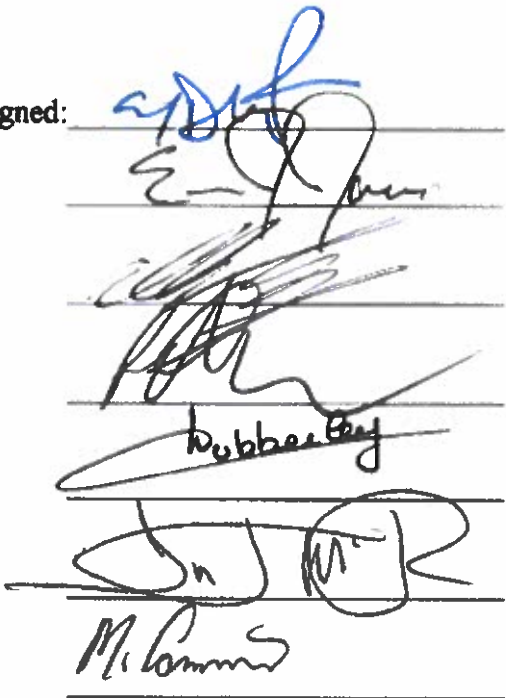
Notice of all meetings will be provided in accordance with 1 MRSA § 406 and any applicable charter, ordinance, policy, or bylaw. When the public attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The body will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the body to meet using remote methods of attendance.

The body will make all documents and materials to be considered by the body available to the public who attend in person, provided no additional costs are incurred by the body.

All votes taken during any meeting will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public. A member of the body who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Dated: 8-2-2021

Signed: The signature block contains five distinct handwritten signatures. The first signature is in blue ink and is the most prominent. The subsequent four signatures are in black ink. The signatures are written over a series of horizontal lines, with some ink bleeding through from the reverse side of the page.



Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: February 9, 2022
RE: Discussion regarding a referendum to
reallocate excess bond funds

In 2018, the voters approved at referendum a bond for \$ 2,113,400 for sewer improvements on Route 1A, under the Wheeler Grist Mill Bridge, and on Western Avenue & Dewey Street. Funding was secured first by bond anticipation note, in two issuances; one for \$1,359,400 for Route 1A & Grist Mill, and \$754,000 for Western Ave. & Dewey St. The Western Ave. project was completed last summer, and we have closed on that loan in the amount of \$750,472.27. The \$1,359,400 loan will be closing on April 23rd and at this point it appears as though we will have approximately \$450,000 in unspent funds due to the project coming in under budget. We are still waiting on the final pay requisition to determine the actual amount remaining, but this is a very close estimate.

In a recent conversation with the project engineer, it was brought to our attention that the project should not have stopped at the end of Western Avenue, but rather, should have continued another approximately 200' from the manhole in the center of the intersection under the signal, to the next manhole on Route 1A but was not specified in the plans as the \$754,000 would not have been enough to complete that additional section of pipe.

After discussions with both Victor and David, I contacted Dan Pittman, our bond counsel and asked if we could use the excess funds from the Route 1A project to finish that 200' of line that should have been incorporated within the Western Ave. project. Preliminary estimates indicate the cost to be between \$100 - \$120,000. Dan indicated that the bond bank does allow excess funds for project A to be used for project B, as long as the voters approve the reallocation of those funds. Because we have an election coming up for April 5th, which is prior to the scheduled closing date for the loan, this would be the opportune time to get voter approval and complete the Western Ave. project. I bring this to you for consideration and possible referral to a public hearing to allow us to take this to referendum to reallocate excess funds to complete this last section of sewer line, getting us out of the intersection and ahead of the signal project.